

# 106<sup>th</sup> TN General Assembly

## Second Regular Session



**Wednesday, April 14, 2010**

Senate – No Session      House – 73<sup>rd</sup> Legislative Day

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### SENATE

#### COMMITTEE REPORTS

##### COMMERCE, LABOR & AGRICULTURE – SHR #12 – 8:30 a.m. –

Rec. for pass., ref to Calendar – SB 2686.

Rec. for pass. if am., ref to Calendar – SB's 3719, 2753, 3819, 2697, 3604, 3608.

Rec. for pass., ref to FW&M – SB 3354.

Rec. for pass. if am., ref to FW&M – SB's 3049, 2655, 1916.

Action def. – SB's 98, 3120, 3643, 3335, 3336, 3395, 3378, 3536, 3748, 3744, 3750, 1508, 3096, 3463, 3851, 3500, 3629.

Ref. to Gen. Sub. – SB 3261.

##### GOVERNMENT OPERATIONS – SHR #12 – 1:00 p.m. –

Rec. for pass. if am., ref to Calendar – SB's 2428, 2431, 2433, 2434, 2436, 2440, 2443, 2445, 2449, 2451, 2453, 2455, 2456, 2457, 2458, 2459, 2461, 2462, 2463, 2464, 2467.

Rec. for pass., ref to CL&A – SB 2769.

Action def. – SB's 2949, 2472.

##### JUDICIARY – SJR #12 – 3:30 p.m. –

Rec. for pass., ref to Calendar – SB's 3008, 3754.

Rec. for pass. if am., ref to Calendar – SB's 1912, 3459, 744, 3246, 2890, 3589, 1264.

Rec. for pass. if am., ref to FW&M – SB's 2757, 1220.

Action def. – SB's 3137, 3609, 2970, 3697, 2725, 2881, 3781, 3740, 3735, 1721, 1722, 427, 3380, 1751, 3110, 3367, 2708, 2709, 2882, 3411, 2915, 1589, 844, 902.

Ref. to Gen. Sub. – SB 3783.

#### MESSAGE FROM THE GOVERNOR

SB's 2645, 2988, 3172, 3296, 3435 – SIGNED 4/13/10.

SJR's 906, 907, 909, 910, 911, 912, 918, 944 – SIGNED 4/14/10.

#### CALENDARS FOR THURSDAY, APRIL 15, 2010

##### Consent

##### **1. SJR 0923 by \*Berke**

Memorials, Professional Achievement – Hamilton County's Teachers of the Year, Linda McMurray, John Echols, and Joey Gaby –

(Senate Consent Calendar cont.)

- 2. SJR 0924 by \*Marrero B**  
Memorials, Interns – Clarence C. Dickson –
- 3. SJR 0925 by \*Burks**  
Memorials, Recognition – 4-H in Tennessee, 100<sup>th</sup> anniversary –
- 4. SJR 0926 by \*Burks**  
Memorials, Sports – Jackson County High School, Girls Basketball Team, Class A State Champions –
- 5. SJR 0928 by \*Johnson**  
Memorials, Interns – Sarah N. O'Donohue –
- 6. SJR 0929 by \*Berke**  
Memorials, Death – Claude P. “Bud” Knowles, Jr. –
- 7. SJR 0930 by \*Finney L**  
Memorials, Recognition – Don Farmer, 2009 Trustee of the Year Award, Tennessee Library Association –
- 8. SJR 0932 by \*Faulk**  
Memorials, Death – Ray McElhaney –
- 9. SJR 0933 by \*Faulk**  
Memorials, Professional Achievement – Allen Dale Davis, John Bond Administrator of the Year Award –
- 10. SJR 0934 by \*Watson, Bunch**  
Memorials, Retirement – Jim Morgan –
- 11. SJR 0935 by \*Yager**  
Memorials, Academic Achievement – Rachel Elizabeth West, Valedictorian, Scott High School -
- 12. SJR 0936 by \*Yager**  
Memorials, Academic Achievement – Shana Martin, Valedictorian, Scott High School –
- 13. SJR 0937 by \*Yager**  
Memorials, Academic Achievement – Marcus Allen Neal, Valedictorian, Scott High School -
- 14. SJR 0938 by \*Yager**  
Memorials, Academic Achievement – Brittany Black, Valedictorian, Scott High School -
- 15. SJR 0939 by \*Yager**  
Memorials, Academic Achievement – Jennifer Casey, Valedictorian, Scott High School –
- 16. SJR 0940 by \*Yager**  
Memorials, Academic Achievement – Latesha Cummins, Valedictorian, Scott High School -
- 17. SJR 0941 by \*Yager**  
Memorials, Academic Achievement – Dru Jacob Bradley, Valedictorian, Scott High School -
- 18. SJR 0942 by \*Yager**  
Memorials, Academic Achievement – Arvis Gary Blakley, Valedictorian, Scott High School -
- 19. SJR 0943 by \*Yager**  
Memorials, Academic Achievement – William Conatser, Valedictorian, Scott High School -
- 20. SJR 0945 by \*Yager**  
Memorials, Academic Achievement – Rachel Cross, Valedictorian, Scott High School -
- 21. SJR 0946 by \*Yager**  
Memorials, Academic Achievement – Lindsay Goodman, Valedictorian, Scott High School –
- 22. SJR 0947 by \*Yager**  
Memorials, Academic Achievement – Whitney Phillips, Valedictorian, Scott High School –
- 23. SJR 0948 by \*Yager**  
Memorials, Academic Achievement – Jeremy Skyler Smith, Salutatorian, Scott High School -
- 24. SJR 0949 by \*Beavers**  
Memorials, Recognition – Town of Gordonsville, 100<sup>th</sup> anniversary –
- 25. SJR 0950 by \*Gresham, Finney L**  
Memorials, Death – Anna Nicole Pirtle –
- 26. SJR 0951 by \*Herron**  
Memorials, Academic Achievement – Steven Allen Rimmer, Salutatorian, Stewart County High School –

(Senate Consent Calendar cont.)

**27. SJR 0952 by \*Herron**

Memorials, Academic Achievement – Katie Bivens, Salutatorian, South Fulton High School –

**28. SJR 0953 by \*Herron**

Memorials, Academic Achievement – Sarah Nicole Gammon, Valedictorian, South Fulton High School –

**29. SJR 0954 by \*Herron**

Memorials, Academic Achievement – Christina Ying En Wu, Valedictorian, Stewart County High School –

**30. SJR 0955 by \*Herron**

Memorials, Death – Eunice Mitchell Clark –

**31. SJR 0956 by \*Kyle**

Memorials, Academic Achievement – Antoinette Edwards, Valedictorian, Trezevant High School

**32. SJR 0957 by \*Kyle**

Memorials, Academic Achievement – April Porter, Salutatorian, Ridgeway High School –

**33. SJR 0958 by \*Kyle**

Memorials, Academic Achievement – Aaron Geovanny Bernadac, Valedictorian, Craigmont High School –

**34. SJR 0959 by \*Kyle**

Memorials, Academic Achievement – Arthur Keith Goodell, Salutatorian, Craigmont High School

**35. SJR 0960 by \*Kyle**

Memorials, Academic Achievement – Max Win Cohen Fargotstein, Valedictorian, Ridgeway High School –

**36. SJR 0961 by \*Kyle**

Memorials, Academic Achievement – Atlanta Edwards, Valedictorian, Raleigh-Egypt High School

**37. SJR 0962 by \*Kyle**

Memorials, Academic Achievement – Bianca Denise Cooper, Salutatorian, Raleigh-Egypt High School –

**38. SJR 0963 by \*Kyle**

Memorials, Academic Achievement – Markesha Tiera Jones, Valedictorian, Northeast Prep Academy –

**39. SJR 0964 by \*Kyle**

Memorials, Academic Achievement – Angela Smith, Salutatorian, Northeast Prep Academy –

**40. HJR 1010 by \*Borchert**

Memorials, Academic Achievement – Victoria Ann Pierpont, Valedictorian, Big Sandy High School –

**41. HJR 1011 by \*Borchert**

Memorials, Academic Achievement – Charles Kelby Snow, Salutatorian, Big Sandy High School

**42. HJR 1012 by \*Borchert**

Memorials, Academic Achievement – Christina Ying En Wu, Valedictorian, Stewart County High School –

**43. HJR 1013 by \*Borchert**

Memorials, Academic Achievement – Steven Allen Rimmer, Salutatorian, Stewart County High School –

**44. HJR 1014 by \*Borchert**

Memorials, Academic Achievement – Heather Alyssa Kee, Salutatorian, Camden Central High School –

**45. HJR 1015 by \*Borchert**

Memorials, Academic Achievement – Tyler Leslie Curtis, Valedictorian, Camden Central High School -

**46. HJR 1017 by \*Harrison**

Memorials, Retirement – Wayne Dean –

**47. HJR 1018 by \*Hawk**

Memorials, Death – Geneva Mashburn –

(Senate Consent Calendar cont.)

**48. HJR 1020 by \*McDonald**

Memorials, Heroism – Dalton Wix –

**49. HJR 1023 by \*Coley, Kernell, Lollar, McManus, Eldridge, Richardson, DeBerry L, Camper, DeBerry J, Jones U, Turner J, Cooper B, Hardaway, White, Miller L, Todd, Towns**

Memorials, Death – Alex Chilton –

**50. HJR 1024 by \*Weaver**

Memorials, Academic Achievement – Emily Nesbitt, Valedictorian, Smith County High School –

**51. HJR 1025 by \*Weaver**

Memorials, Academic Achievement – Jennifer Kibbey, Salutatorian, Smith County High School –

**52. HJR 1026 by \*Weaver**

Memorials, Academic Achievement – Kayley Beth Wheeler, Salutatorian, Red Boiling Springs High School –

**53. HJR 1027 by \*Weaver**

Memorials, Academic Achievement – Tracy Lynne Hume, Valedictorian, Red Boiling Springs High School –

**54. HJR 1029 by \*Bone, Lynn**

Memorials, Academic Achievement – Sara Bowman, Salutatorian, Cannon County High School –

**55. HJR 1030 by \*Bone, Lynn**

Memorials, Academic Achievement – Steven Gassaway, Salutatorian, Lebanon High School –

**56. HJR 1031 by \*Bone, Lynn**

Memorials, Academic Achievement – Winston Freeman Davis, Valedictorian, Lebanon High School –

**57. HJR 1032 by \*Bone, Lynn**

Memorials, Academic Achievement – Alberto Vidal Hernandez, Salutatorian, Lebanon High School –

**58. HJR 1033 by \*Harrison**

Memorials, Academic Achievement – Julianne Price, Top 5 Graduating Senior, Cherokee High School -

**59. HJR 1034 by \*Harrison**

Memorials, Academic Achievement – Jamie Michael, Top 5 Graduating Senior, Cherokee High School -

**60. HJR 1035 by \*Harrison**

Memorials, Academic Achievement – Autumn Manning, Top 5 Graduating Senior, Cherokee High School -

**61. HJR 1036 by \*Harrison**

Memorials, Academic Achievement – Hunter Hamilton, Top 5 Graduating Senior, Cherokee High School -

**62. HJR 1037 by \*Harrison**

Memorials, Academic Achievement – Sierra Brooke Nelson, Top 5 Graduating Senior, Cherokee High School -

**63. HJR 1039 by \*Harrison**

Memorials, Professional Achievement – Carol Lawson, Signature HealthCARE Administrator, Longterm Care Administrator Week –

**Local Bill Consent**

**1. SB 3924 by \*Ketron (HB 3958 by \*Rowland)**

Murfreesboro – As introduced, subject to local approval, authorizes the city council to appoint one person to hold the office of city treasurer and the office of city recorder. – Amends Chapter 429 of the Private Acts of 1931; as amended.

**2. SB 3930 by \*Yager (HB 3971 by \*Cobb J)**

Graysville – As introduced, subject to local approval, amends the charter by revising the membership on the board of commissioners from a mayor and six commissioners to a mayor and four commissioners and to make changes consistent with the reduction in the size of the governing body. – Amends Chapter 230 of the Private Acts of 1992.

(Senate Local Bill Consent cont.)

**3. SB 3931 by \*Ketron (HB 3972 by \*Carr)**

Rutherford County – As introduced, subject to local approval, terminates office of county attorney and authorizes county to contract with attorneys for the provision of legal services. – Repeals Chapter 123 of the Private Acts of 1955 and.

**4. SB 3932 by \*Johnson (HB 3975 by \*Sargent, Casada)**

Franklin – As introduced, subject to local approval, clarifies that the city shall have authority to grant franchises for public services to both residential and commercial users, regardless of zone; includes providers of telecommunications services or information services among those entities to which the requirements for the granting of such franchises applies. – Amends Chapter 79 of the Acts of 1903; as amended.

**5. SB 3933 by \*Johnson (HB 3974 by \*Sargent, Casada)**

Franklin – As introduced, subject to local approval, requires that all transfers of appropriations be decided by ordinance rather than pursuant to mayoral authority; repeals provision in charter establishing duties of the treasurer. – Amends Chapter 126 of the Private Acts of 1967.

**6. SB 3934 by \*Johnson (HB 3976 by \*Sargent, Casada)**

Franklin – As introduced, subject to local approval, repeals charter provision requiring treasurer and all department heads to be appointed or confirmed by the board of mayor and aldermen; repeals charter provision vesting city judge with juvenile court jurisdiction concurrent with that of juvenile court judges of the state. – Amends Chapter 79 of the Acts of 1903; as amended.

**7. SB 3936 by \*Black (HB 3978 by \*McDonald)**

Westmoreland – As introduced, subject to local approval, changes the name “Town of Westmoreland” to “City of Westmoreland.” – Amends Chapter 306 of the Private Acts of 1951; as amended.

**8. SB 3939 by \*Ketron (HB 3982 by \*Bass)**

Lewisburg – As introduced, subject to local approval, authorizes reading of ordinance caption on third reading. – Amends amend Chapter 214 of the Private Acts of 1915; as rewritten.

**9. SB 3944 by \*Finney L (HB 3973 by \*Halford)**

Trenton – As introduced, subject to local approval, creates procedure for a run-off election following the regular mayoral election in the event no candidate receives a majority of votes cast. – Amends Chapter 551 of the Acts of 1903; as amended.

**Regular**

**1. \*SJR 0698 by \*Beavers, Kelsey, Johnson**

Constitutional Amendments – Provides for the direct popular election of the state attorney general.  
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**2. SB 0194 by \*Bunch, Johnson (\*HB 0270 by \*Watson, Rich, Bass, Evans)**

Election Laws – As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. – Amends TCA Title 2.

**3. \*SB 1142 by \*Gresham (HB 1516 by \*Brooks H)**

Education, Higher – As introduced, specifies that the restrictions imposed on the substitution of beneficiaries under the Tennessee Baccalaureate Education System Trust Act may be no less stringent than that required under the Internal Revenue Code. – Amends TCA Title 49, Chapter 7, Part 8.

**4. SB 1472 by \*Marrero B (\*HB 0209 by \*Coley)**

Education – As introduced, requires graduating high school students to take a foreign language proficiency test that will provide diagnostic information to educators. – Amends TCA Title 49, Chapter 6, Part 60.

**5. SB 1743 by \*Marrero B (\*HB 0376 by \*Coley)**

Education – As introduced, urges institutions with approved teacher training programs to offer comparative education programs. – Amends TCA Title 49.

**6. \*SB 2488 by \*Ramsey, Ketron, Barnes, Gresham (HB 2665 by \*Lundberg)**

Veterans – As introduced, creates a veterans’ honor medal program to recognize and honor all Tennessee veterans. – Amends TCA Title 58.

(Senate Regular Calendar cont.)

**7. \*SB 2563 by \*Bunch (HB 2651 by \*Brooks K, Bone, Bell, Watson, White)**

Medical Occupations – As introduced, enacts the Colby Stansberry Act to regulate the release of medical or hospital records only upon the informed consent of the patient or the patient’s authorized representative. – Amends TCA Title 63, Chapter 2, Part 1 and Title 68, Chapter 11, Part 15.

**8. SB 2832 by \*Berke (\*HB 2778 by \*Hackworth, Maggart, Bass, Hawk, Shepard, Fincher, Stewart, Hardaway, Brooks K, Weaver, Montgomery, Swafford, Towns, Halford, Hensley, Lundberg, Shipley, Yokley, Favors, Brown, Dean, Ferguson, Cobb T, Casada, Gilmore, McCormick, Ford, Johnson P, Brooks H, Cooper B, White, Coley, Moore, Lollar, Sontany, Bone, Coleman, Evans, Carr, Barker, Williams, DeBerry L, Fitzhugh, Richardson, McManus, Sargent, Eldridge, Fraley, Naifeh, Turner J, Jones U, Turner M)**

Abuse – As introduced, authorizes concerned family members to obtain court order to intercede when an adult is subject to abuse, neglect, or exploitation. – Amends TCA Title 71, Chapter 6, Part 1.

**9. \*SB 2959 by \*Watson (HB 3049 by \*Favors)**

Medical Occupations – As introduced, revises fees for medical records provided by certain health care providers and establishes fees for digital copies of such records. – Amends TCA Title 63, Chapter 2, Part 1.

**10. SB 3314 by \*Kelsey (\*HB 2626 by \*Lollar, Fincher, Rich, Maggart)**

Sentencing – As introduced, provides that an adjudication or finding by a juvenile court that a defendant committed an act as a juvenile that constitutes a Class A or Class B felony if committed by an adult counts as a “prior conviction” for purposes of determining the appropriate sentencing range for such defendant. – Amends TCA Title 40, Chapter 35.

**11. SB 3402 by \*Faulk (\*HB 3400 by \*Tindell)**

Alcoholic Beverages – As introduced, removes resort in Crab Orchard from definition of premier type tourist resort; removes one of the duplicated definitions of Nashville Shores. – Amends TCA Section 57-4-102(24).

**12. SB 3689 by \*McNally (\*HB 3604 by \*Fitzhugh)**

Comptroller, State – As introduced, removes the requirement that the director of the division of local finance provide to the fiscal review committee, upon request, the information necessary to determine the fiscal effect of any bill or resolution affecting local government; and requires the “comptroller” instead of the “division of local finance” or the “division of bond finance” to perform certain activities. – Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49; Title 58; Title 64 and Title 68.

**13. \*SB 1444 by \*Berke (HB 2044 by \*Jones U, Brown)**

Alcoholic Beverages – As introduced, lowers duration of residency requirement for issuance of alcoholic beverage retailer license to one year preceding date of application or five consecutive years any time in the past; removes residency requirement when next of kin of licensee takes over license upon licensee’s death. – Amends TCA Title 57.

**14. SB 2465 by \*Watson, Bunch (\*HB 2459 by \*Lynn)**

Sunset Laws – As introduced, extends alcoholic beverage commission, June 30, 2010. – Amends TCA Title 4, Chapter 29 and Title 57, Chapter 1.

**15. SB 2714 by \*Gresham (\*HB 2706 by \*Rich)**

Highway Signs – As introduced, “Captain Arthur Williamson Parkway,” segment of S.R. 76 in Fayette County. –

**16. \*SB 2735 by \*Berke, Marrero B, Finney L, Stewart, Jackson, Burks, Herron (HB 2826 by \*Cobb T, Turner M)**

Hazardous Materials – As introduced, prohibits the acceptance and storage of radioactive waste at landfills or commercial facilities in this state. – Amends TCA Title 68.

**17. SB 3194 by \*Finney L, Burks (\*HB 3175 by \*Swafford)**

Purchasing – As introduced, authorizes cooperative purchasing agreements between or among certain units of local government for the procurement of any supplies, services, or construction. – Amends TCA Title 12, Chapter 3, Part 10.

(Senate Regular Calendar cont.)

**18. SB 3346 by \*Kyle (\*HB 3281 by \*Coleman, Maggart, Rich, Bass, Lundberg, Sontany, Matheny, Watson, Todd, Shipley, Fincher, Hardaway)**

Bail, Bail Bonds – As introduced, allows a court, when setting bail for a defendant arrested for certain alcohol related offenses and such defendant has prior convictions for certain alcohol related offenses or is currently already released on bail for certain alcohol related offenses, to order monitoring devices or in-patient treatment as a condition of release and requires the court to determine whether the defendant is a danger to the community prior to release. – Amends TCA Title 40.

**19. SB 3361 by \*Kyle, Marrero B (\*HB 2998 by \*DeBerry J)**

Taxes, Ad Valorem – As introduced, allows a municipality to contract with another collecting official to outsource processing of property tax relief applications; permits waiver of the deadline of an application for good and reasonable cause. – Amends TCA Title 67, Chapter 5, Part 7.

**20. SB 3392 by \*Finney L, Berke (\*HB 3456 by \*Odom)**

Election Laws – As introduced, requires voter registrations that are considered inactive to only be purged two years after a federal census of population has been taken. – Amends TCA Section 2-11-202 and Title 2, Chapter 2, Part 1.

**21. SB 3575 by \*Ketron, Tracy (\*HB 2931 by \*Cobb T, Tidwell)**

Highway Signs – As introduced, “Southport Community Bridge,” S.R. 245 in Maury County. –

**22. \*SB 3828 by \*Kyle, Berke, Black (HB 3814 by \*McDonald, Turner M, Armstrong)**

TennCare – As introduced, reduces the time within which an enrollee or applicant for TennCare uninsured or uninsurable coverage must mail documentation of any change of information given to the bureau of TennCare from “30 days” to “10 days” after such change; and requires the commissioner of health to consult the bureau of TennCare, in addition to the Tennessee Hospital Association, before requesting early completion of the report of hospital statistics. – Amends TCA Title 68 and Title 71.

**23. \*HB 2510 by \*McCormick (SB 2606 by \*Watson)**

Registers of Deeds – As introduced, authorizes Hamilton County register’s office to collect a \$2.00 electronic filing submission fee for each electronically-filed document recorded over the Internet through such register’s county-run electronic filing portal; documents filed by governmental entities are exempt; requires approval of two thirds of local legislative body. – Amends TCA Title 8, Chapter 21, Part 10.

**24. HB 3711 by \*Towns, Cooper B, Hardaway (\*SB 3311 by \*Kelsey)**

Textbooks – As introduced, requires students be allowed to take textbooks that are assigned to the student home in order to study. – Amends TCA Title 49, Chapter 6, Part 22.

**Message**

**1. \*SB 2403 by \*Southerland, Crowe, Yager, Faulk, Tracy, Overbey, Black, Ketron, Woodson (HB 3218 by \*Hawk, Towns, Coley, Hardaway, Maddox)**

Solid Waste Disposal – As introduced, requires generators of mercury-added consumer products to remove such products from the stream of solid waste disposal. – Amends TCA Title 68, Chapter 211.

**2. SB 2587 by \*Black, Ford, O., Gresham (\*HB 2630 by \*DeBerry J, Hardaway)**

Foster Care – As introduced, makes certain changes regarding permanency plans for foster care, including giving parents the right to attend and participate in foster care permanency plan reviews and changing the suggested membership of foster care review boards. – Amends TCA Title 36, Chapter 1 and Title 37, Chapter 2.

**3. SB 2643 by \*Watson, Berke, Ford, O. (\*HB 2715 by \*Brown, Favors, Dean, McCormick, Floyd, Cobb J, Shaw)**

Highway Signs – As introduced, “Luther Masingill Parkway,” segment of Broad Street (U.S. 11 & 72) in Chattanooga. –

**4. \*SB 2813 by \*Haynes (HB 3391 by \*Moore, Stewart)**

Courts, Circuit – As introduced, authorizes circuit court judges in Davidson County having domestic or probate jurisdiction to appoint one or more persons to act as magistrates. – Amends TCA Section 17-2-123.

(Senate Message Calendar cont.)

**5. SB 2859 by \*Faulk (\*HB 2863 by \*Swafford, Turner M)**

Fiscal Review Committee – As introduced, requires fiscal review committee staff to compare actual fiscal impact of at least five public chapters to the fiscal impact as stated in the fiscal note and present such review to fiscal review committee each year. – Amends TCA Title 3.

**6. SB 2933 by \*Johnson, Ketron (\*HB 2842 by \*Sargent)**

Municipal Government – As introduced, grants municipalities exclusive right to use their names and symbols. – Amends TCA Title 6, Chapter 54, Part 1.

**7. SB 3034 by \*Faulk (\*HB 3034 by \*Casada)**

Alcoholic Beverages – As introduced, adds Sligo Marina in Dekalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. – Amends TCA Section 57-4-102.

**8. \*SB 3277 by \*Burchett, Ford, O. (HB 3641 by \*Todd, Jones U)**

Fireworks – As introduced, removes the present requirement that the law enforcement officials of the county or municipality must also sign the permits for the public fireworks display along with the fire department. – Amends TCA Section 68-104-211.

**9. SB 3583 by \*Ketron, Black, Burks (\*HB 3161 by \*Curtiss, Dunn)**

Education – As introduced, allows any school resource officer who witnesses an offense by a student receiving special education to take the student into custody. – Amends TCA Title 49, Chapter 10, Part 13.

**10. \*SB 3854 by \*Kyle, Barnes, Marrero B (HB 3842 by \*Maddox, Turner M, Coley, Hardaway, Shaw)**

Gas, Petroleum Products, Volatile Oils – As introduced, revises various present law provisions regarding petroleum underground storage tanks. – Amends TCA Title 68, Chapter 215, Part 1.

**11. \*HB 3291 by \*Lynn (SB 3181 by \*Watson, Ketron, Bunch)**

Sunset Laws – As introduced, extends the Tennessee court of the judiciary, June 30, 2011. – Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5.

**SENATE CONVENES AT 9:00 A.M., THURSDAY, APRIL 15, 2010**

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## HOUSE

### BILLS / RESOLUTIONS

Received from Senate, held on House desk – SB's 2198, 3255, 3257, 3275, 3304, 3321, 3627, 3727, 3804.

**HR 0308 by \*Pitts**

Memorials, Interns - Joshua Rogen -

**HR 0309 by \*Faulkner**

Memorials, Recognition - Reverend Floyd M. "Mike" Viles -

**HR 0310 by \*Bone**

Memorials, Retirement - Roger Franklin Turney -

**HR 0311 by \*Hawk**

Memorials, Recognition - Spotless Carpet Cleaners & Janitorial Services, Owner Bob Pakrul, Phoenix Award for Innovation in Restoration -



(House Resolutions cont.)

**HR 0312 by \*Gilmore**

Memorials, Recognition - League of Women Voters of Nashville, 90th anniversary -

**HJR 1059 by \*DeBerry J**

Memorials, Recognition - Dr. Cornel West -

**HJR 1060 by \*Ramsey**

Memorials, Personal Achievement - John William "Bill" Roberson IV, Eagle Scout -

**HJR 1061 by \*Watson**

Memorials, Death - Charles Campbell -

**HJR 1062 by \*Shaw, Moore, Evans**

Memorials, Recognition - Dr. Gary Benmark -

**HJR 1063 by \*Naifeh, Maddox, Fitzhugh, DeBerry L**

Memorials, Death - Dixie Carter -

**HJR 1064 by \*Naifeh, Fitzhugh, DeBerry L, Maddox**

Memorials, Death - Duke Harris Brasfield -

**HJR 1065 by \*Naifeh, DeBerry L, Fitzhugh, Camper, Shaw, Maddox**

Memorials, Sports - Jarvis Varnado -

**HJR 1066 by \*Matlock**

Memorials, Personal Occasion - Bud and Shirley Bowden, 50th wedding anniversary -

**HJR 1067 by \*Hackworth, Ferguson, Winningham**

Memorials, Retirement - Jill Prudden -

## **SECOND CONSIDERATION**

HELD ON DESK – HB's 3990, 3991, 3992.

EDUCATION – HB 3414.

GOVERNMENT OPERATIONS – HB 3154.

JUDICIARY – HB 192

## **THIRD CONSIDERATION**

### Consent Calendar:

HR 304 – RE-SET to 4/15/10.

HR 307 – ADOPTED 96-1.

HJR's 1046, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058 – ADOPTED 96-1.

SJR's 913, 914, 915, 916, 919, 920, 921, 922, 965 – CONCURRED 96-1.

### Regular Calendar:

SB 3666 – RE-SET to 4/19/10.

HB 2460 – PASSED AS AMENDED 86-6-1.

HB 3892 – Amd. #1 ad. – PASSED AS AMENDED 95-0-1.

HB 3705 – HELD on desk.

HB 958 – Amd. #1 ad. – PASSED AS AMENDED 96-0.

HB 2951 – RE-SET to next calendar.

HB 3604 – Amd. #1 ad. – PASSED AS AMENDED 96-0.

HB 3924 – Amd. #1 ad. – PASSED AS AMENDED 97-0.

HB 3046 – s/c SB 2912 – PASSED 96-0.

HB 2485 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

HB 3801 – s/c SB 3834 – Amd. #1 ad. – PASSED AS AMENDED 97-0.

HB 172 – Amd. #1 ad. – PASSED AS AMENDED 94-1.

HB 3299 – s/c SB 2977 – PASSED 97-0.

HB 3416 – RE-SET to 4/21/10.

HB 3828 – s/c SB 3871 – PASSED 93-3.

HB 2483 – PASSED 97-0.

HB 3985 – PASSED 97-0.

HB 3986 – RE-SET to 4/19/10.

HB 3987 – PASSED 96-0.

HB 3988 – PASSED 97-0.

(House Third Considerations cont.)  
Message Calendar:  
HB 1184 – Recalled from Governor.

### **OTHER ACTION**

HB 3904 – Recalled from C&E; re-ref to Govt. Ops.  
HR 304 – WITHDRAWN.  
HJR 1061 – s/r ADOPTED 96-1.  
HJR 1062 – s/r ADOPTED 95-0.

### **COMMITTEE REPORTS**

CONSUMER & EMPLOYEE AFFAIRS – HHR #29 – 8:30 a.m. –  
Action def. – HB's 2774, 3826, 3525, 3557, 3162, 3163, 2844, 2845, 3018.  
EDUCATION – HHR #16 – 11:00 a.m. –  
Rec. for pass., ref to C&R – HB's 1870, 3867, 3410, 1862.  
Rec. for pass. if am., ref to C&R – HB's 1371, 3503, 3875, 3133.  
Rec. for pass. if am., ref to FW&M – HB's 3474, 3499, 209, 3014, 285, 2947, 1869, 2645, 3545.  
Rec. for adopt., ref to C&R – HJR 1005, HR 302. HJR's 959, 974.  
Failed – HB 3590.  
Action def. – HB's 377, 3794, 2087, 3688  
Taken off notice – HB's 2072, 3868, 2759, 153, 15, 2957, 777, 3710, 2996, 3074, 3590.  
GOVERNMENT OPERATIONS – HHR #30 – 10:00 a.m. –  
Rec. for pass., ref to C&R – HB's 1273, 2459, 2453.  
Rec. for pass. if am., ref to C&R – HB 2855.  
Rec. for pass., ref to S&L – HB 3353.  
Action def. – HB's 3596, 3597, 3934, 1809, 3476, 2454, 2456.

### **SUBCOMMITTEE REPORTS**

Budget – HHR #29 – 11:00 a.m. –  
Rec. for pass. – HB's 3136, 3157, 3164, 3788, 2349, 3607, 2975, 2496, 59, 3130, 3230, 3465, 3806, 3025, 3591, 2703.  
Rec. for pass. if am. – HB's 3310, 3589, 3598, 3633.  
Rec. for adopt. – HJR 796.  
Rec. for concur – SJR 306.  
Action def – HB's 3718, 2776, 3165, 2671, 2917, 2768, SJR 763, HB's 3094, 3601, 3606, 3812, 3438, 3393, 3501, 2740, 3549, 3526, 2894, 3259, 3466, 3936, 3791, 3449, 2928, 3015, 1947, 2752, 2675, 3847, 3181, 2474, 3200, 376, 2475, 2130, 3627, 3758, HJR 851.  
Behind the Budget – HB's 3252, 2644, 2631, 2632, 2989, 2792, 3268, 3227, 3193, 2750, 2520.  
Industrial Impact – HHR #31 – 10:00 a.m. –  
Rec. for pass., - HB's 3923, 3247.  
Rec. for pass. if am. – HB's 3921, 3940.  
Action def. – HB's 396, 1323, 3229, 3232, 3949, 3832, 3167, 2875.  
Taken off notice – HB's 128, 843, 2874.

### **COMMITTEE CALENDAR FOR THURSDAY, APRIL 15, 2010**

CALENDAR & RULES – HHR #16 – 8:00 a.m. –  
HB's 3446, 2367, 3647, 3156, 3770, 3423, 3424, 3425, 3355, 3427, 2719, 3064, 3577, 2519, 3433, 2916, 2635, SJR 794, HB 2992, HJR's 890, 777, HB's 3864, 3950, 2471, 995, 2446, 2452, 2621.

## **MESSAGE FROM THE GOVERNOR**

HB's 2690, 2754, 2981, 3586, 3938 – SIGNED 4/13/10.

HJR's 1006, 1008, 1009, 1021 – SIGNED 4/14/10.

### **CALENDARS FOR THURSDAY, APRIL 15, 2010**

#### **Consent**

- 1. HR 0308 by \*Pitts**  
Memorials, Interns - Joshua Rogen - The Abstract summarizes HR0308 as introduced.
- 2. HR 0309 by \*Faulkner**  
Memorials, Recognition - Reverend Floyd M. "Mike" Viles - The Abstract summarizes HR0309 as introduced.
- 3. HR 0310 by \*Bone**  
Memorials, Retirement - Roger Franklin Turney - The Abstract summarizes HR0310 as introduced.
- 4. HR 0311 by \*Hawk**  
Memorials, Recognition - Spotless Carpet Cleaners & Janitorial Services, Owner Bob Pakrul, Phoenix Award for Innovation in Restoration - The Abstract summarizes HR0311 as introduced.
- 5. HR 0312 by \*Gilmore**  
Memorials, Recognition - League of Women Voters of Nashville, 90th anniversary - The Abstract summarizes HR0312 as introduced.
- 6. HJR 1059 by \*DeBerry J**  
Memorials, Recognition - Dr. Cornel West - The Abstract summarizes HJR1059 as introduced.
- 7. HJR 1060 by \*Ramsey**  
Memorials, Personal Achievement - John William "Bill" Roberson IV, Eagle Scout - The Abstract summarizes HJR1060 as introduced.
- 8. HJR 1063 by \*Naifeh, Maddox, Fitzhugh, DeBerry L**  
Memorials, Death - Dixie Carter - The Abstract summarizes HJR1063 as introduced.
- 9. HJR 1064 by \*Naifeh, Fitzhugh, DeBerry L, Maddox**  
Memorials, Death - Duke Harris Brasfield - The Abstract summarizes HJR1064 as introduced.
- 10. HJR 1065 by \*Naifeh, DeBerry L, Fitzhugh, Camper, Shaw, Maddox**  
Memorials, Sports - Jarvis Varnado - The Abstract summarizes HJR1065 as introduced.
- 11. HJR 1066 by \*Matlock**  
Memorials, Personal Occasion - Bud and Shirley Bowden, 50th wedding anniversary - The Abstract summarizes HJR1066 as introduced.
- 12. HJR 1067 by \*Hackworth, Ferguson, Winningham**  
Memorials, Retirement - Jill Prudden - The Abstract summarizes HJR1067 as introduced.

#### **Regular**

- 1. HB 1357 by \*Carr (\*SB 0614 by \*Tracy, Ketron)**  
Municipal Government - As introduced, allows municipalities to take special census at their own expense any time between regular decennial federal censuses. - Amends TCA Section 6-51-114; Title 6, Chapter 56, Part 1; Section 54-4-203; Section 57-5-205 and Section 67-6-103.
- 2. \*HB 3379 by \*Sontany, Hawk, McCormick, Maggart (SB 3367 by \*Marrero B)**  
Animals and Animal Cruelty - As introduced, changes the required holding period by a humane society before destroying an abandoned animal from 72 hours to 120 hours. - Amends TCA Title 39, Chapter 14, Part 2.
- 3. HB 2597 by \*Lynn (\*SB 2419 by \*Watson, Johnson)**  
Sunset Laws - As introduced, extends board of land survey examiners, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 1.
- 4. HB 1420 by \*Tidwell (\*SB 1916 by \*Stewart)**  
Surveyors - As introduced, enacts the "Soil Scientist Licensing Act of 2009." - Amends TCA Title 62, Chapter 18 and Section 68-221-409.

(House Regular Calendar cont.)

5. **\*HB 3383 by \*Sontany (SB 3715 by \*Haynes)**  
Animal Control - As introduced, allows Davidson County as well as Shelby County and municipalities within to enact ordinance allowing for district attorney to petition general sessions court for destruction of dangerous dogs. - Amends TCA Title 44, Chapter 17, Part 1.
6. **\*HB 0725 by \*Hensley (SB 1648 by \*Gresham)**  
Game and Fish Laws - As introduced, specifies that hunting or taking animals by use of bait shall not be prohibited unless the bait is visible at the time and location of such hunt or taking. - Amends TCA Title 70, Chapter 4, Part 1. - The Abstract summarizes HB0725 as introduced.
7. **\*HB 2372 by \*Montgomery, McCord (SB 2341 by \*Overbey, Barnes, Beavers, Berke, Black, Bunch,)**  
Adoption - As introduced, states that no adoptive parent of a child that has been removed from the home by the department of children's services for reasons other than dependency or neglect shall be required to pay for the care of the child while in custody. - Amends TCA Title 36, Chapter 1 and Title 37, Chapter 1.
8. **HB 1338 by \*McDonald, Harmon, Dean, Fraley, Lynn, M (\*SB 0401 by \*Black, Tracy)**  
Highways, Roads and Bridges - As introduced, increases time for filing inventory of county highway machinery, equipment, tools, supplies, and materials from 60 to 75 days from date chief administrative officer takes office. - Amends TCA Title 54. - The Abstract summarizes HB1338 as introduced.
9. **HB 3814 by \*McDonald, Turner M, Armstrong (\*SB 3828 by \*Kyle, Berke, Black)**  
TennCare - As introduced, reduces the time within which an enrollee or applicant for TennCare uninsured or uninsurable coverage must mail documentation of any change of information given to the bureau of TennCare from "30 days" to "10 days" after such change; and requires the commissioner of health to consult the bureau of TennCare, in addition to the Tennessee Hospital Association, before requesting early completion of the report of hospital statistics. - Amends TCA Title 68 and Title 71. - The Abstract summarizes HB3814 as introduced.
10. **\*HB 2805 by \*McDonald, Pitts, Bass (SB 2726 by \*Berke, Burks, Black)**  
Food and Food Products - As introduced, limits civil and criminal liability of persons donating food to charitable organizations or to corrections facility. - Amends TCA Title 49 and Title 53, Chapter 13, Part 1.
11. **\*HB 3177 by \*Dean (SB 3154 by \*Overbey, Marrero B)**  
Health Care - As introduced, authorizes board of medical examiners to promulgate rules to implement the genetic counselors' licensing act. - Amends TCA Title 63.
12. **\*HB 3248 by \*Casada (SB 3161 by \*Johnson)**  
Alcoholic Offenses - As introduced, decreases amount of revenue art gallery must receive from sale of artwork from 90 percent to 80 percent to be allowed to serve wine to patrons of the art gallery at no charge. - Amends TCA Title 57, Chapter 4.
13. **\*HB 3287 by \*Lynn (SB 3159 by \*Johnson)**  
Air Pollution - As introduced, requires legislative approval prior to adoption of regulatory programs concerning greenhouse gas or motor vehicle fuel economy. - Amends TCA Title 68.
14. **\*HB 3471 by \*Naifeh, DeBerry L, Jones U, Lollar, Camper, Coley (SB 3345 by \*Tate, Kyle, Ford, O.)**  
Highways, Roads and Bridges - As introduced, "Isaac Hayes Memorial Highway," I-40 in Shelby County. - The Abstract summarizes HB3471 as introduced.
15. **\*SJR 0765 by Naifeh (\*Gresham, Henry, McNally, Burchett, Woodson, Barnes, Beavers, Berke, Black, Bunch, Burks, Crowe, Faulk, Finney L, Ford, O., Harper, Haynes, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero B, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager, Ramsey)**  
Memorials, Government Officials - Urges the State Capitol Commission to place a bust of former Lt. Governor John Wilder in the State Capitol. - The Abstract summarizes SJR0765 as introduced.
16. **\*HB 2951 by \*Brooks H, Fincher (SB 2917 by \*Burchett)**  
Criminal Offenses - As introduced, clarifies that refusing to accept a legal writ or other process attempting to be served by a public employee or private process server constitutes obstruction of the service of process. - Amends TCA Title 39, Chapter 16, Part 6.

**HOUSE CONVENES AT 9:00 A.M., THURSDAY, APRIL 15, 2010**